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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,268

12/08/2008

Rainer Reichenbach

F-9135

7777

28107 7590 03/17/2010
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EXAMINER

SINGH, KAVEL

ART UNIT

PAPER NUMBER

3651

MAIL DATE

DELIVERY MODE

03/17/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/586,268	Applicant(s) REICHENBACH, RAINER	
	Examiner KAVEL P. SINGH	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 7-10 and 12 is/are rejected.
- 7) ☐ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

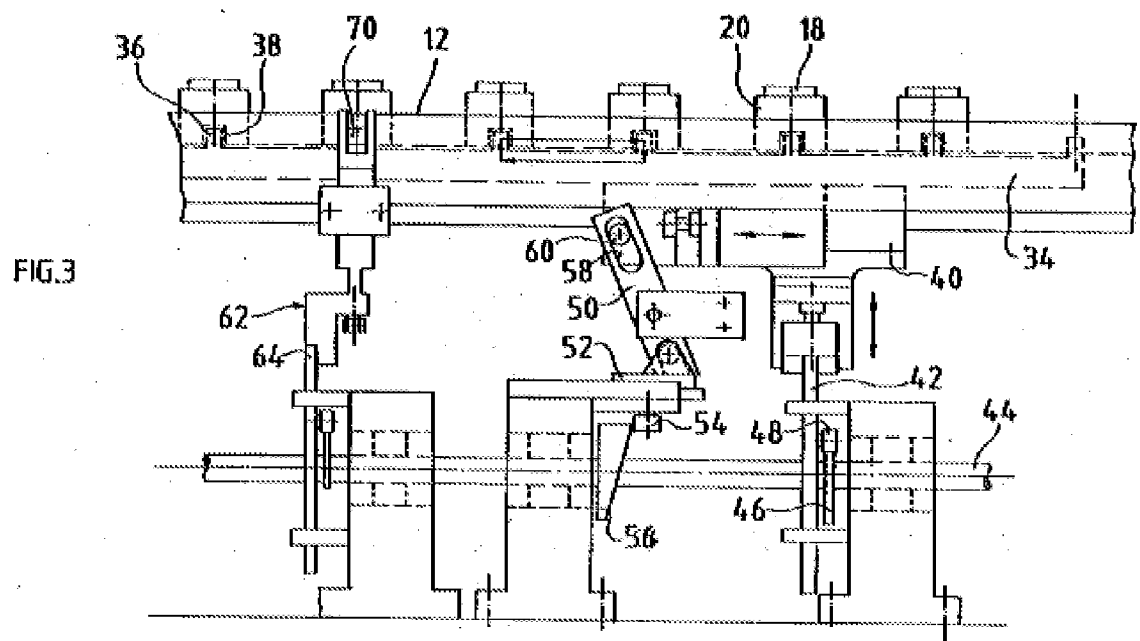
Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/18/09 have been fully considered but they are not persuasive. Regarding claim 7, Applicant argues that the clamping device 62 and clamping bar 63 in Wunsch are supported by its lifting bar 64 does not correlate to a lifting a lifting apparatus connected to a transverse crossmember; a transverse member 63 supported by said transverse crossmember, but as shown below:



Wunsch teaches the lifting bar 64 connected to transverse crossmember 62 and transverse member 63 and does not teach the transverse members moving in the horizontal position, but moving in the clamping devices 62 for all working positions comprise a common clamping bar 63 at which the plurality of slides 70 are fastened

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and which is raised and lowered by a pair of lifting bars C5 L30-35. The only part that moves horizontally is the conveyor rail 34 as shown in Figure 6 and described in C5 L12-15.

Applicant then argues that the extension arm 34 of Wunsch does not include a slide, but Wunsch teaches or the conveying rail 34 and comprises a cam disc fastened on the main drive shaft 44, a roller contacting the cam disc and mounted at a lifting bar 64 which at its upper end has a diagonal slot 66 into which engages a stem 68 fastened at a slide 70 which is displaceably mounted at right angles to the guide rail 12 in one side wall thereof C4 L20-25. The claim language only reads a an extension arm (34) movably disposed on said transverse member 63 for horizontal movement therealong (abstract) and including a movable slide 70 (not structural limitation about the placement of the slide.

Regarding the amendments of claim 7, the claims reads an extension arm (34) movably disposed on said transverse member 63 for horizontal movement therealong, again lacking any structural limitation to differentiate the Applicant's invention from Wunsch.

For the foregoing reasons, the claims stand rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7,9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wunsch U.S. Patent No. 4,924,997.

Claim 7, Wunsch teaches a lifting apparatus 64 connected to a transverse crossmember 62; a transverse member 63 supported by said transverse crossmember 62, said transverse member 63 being horizontally fixed; an extension arm (34) movably disposed on said transverse member 63 for horizontal movement therealong (abstract) and including a movable slide 70; at least one guide carriage 12 for guiding said extension arm (34) on said transverse member 62; a carrying device 20 for horizontally driving said at least one guide carriage 12 responsive to movement of said extension arm (34); and said at least one guide carriage 12 being connected to a linear guide 56 that is attached to said extension arm (34) and said transverse member 62 Fig. 3.

Claim 9, Wunsch teaches said linear guide 56 is a rolling or sliding guide and is a flat or circular guide (a cam which rotates) C3 L64-68.

Claim 10, Wunsch teaches said linear guide 56 includes first and second guide shoes 44,54; and a holding plate 52 connects said guide shoes 44,54 Fig. 6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wunsch U.S. Patent No. 4,924,997 in view of Lundberg U.S. Patent No. 6,247,226.

Claim 8, Wunsch teaches said carrying device 20, but Lundberg teaches carrying device 11 comprises first and second racks (upper and lower bar of house 5) and a toothed wheel 45; and said second rack (lower bar) being securely joined to said extension arm 5 and said first rack (upper bar) being securely joined to said transverse member 23. It would be obvious to one of ordinary skill to use the carrying device assembly as taught by Lundberg into the invention of Wunsch in order to securely transport the workpiece.

Claim 12, Wunsch teaches said carrying apparatus 20, Lundberg teaches a carrying apparatus 11 is a chain drive or toothed belt drive 43 (part of the assembly). It would be obvious to one of ordinary skill to use the a toothed belt as taught by Lundberg into the invention of Wunsch in order to maintain the position of the belt during transport.

Allowable Subject Matter

Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Kavel P. Singh whose telephone number is (571) 272-2362. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/
Supervisory Patent Examiner, Art
Unit 3651

KPS